

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA

In re  
BETTY R. HAU,  
Debtor.

Case No. LA 03-11290 TD

Adv. Case No. 04-02202

Chapter 7

MEMORANDUM OF DECISION

RICHARD DIAMOND, Chapter 7 Trustee,  
Plaintiff

v.

BETTY R. HAU and PING REN,  
Defendants.

DATE: June 20, 2005  
TIME: 9:00 a.m.  
PLACE: Courtroom 1345

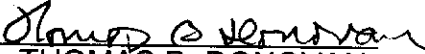
I announced my findings and conclusions and tentative decision in this matter following a June 20, 2005 trial, to the effect that the Defendants had engaged in a fraudulent transfer of real property, as alleged by the Plaintiff. I allowed the Defendants 30 additional days within which to file, in writing, evidence to suggest that there was something wrong with Plaintiff's evidence or my tentative decision.

1 Defendant Betty Hau filed additional evidence on July 20 in the form of a  
2 written declaration. Plaintiff filed a reply memorandum and evidentiary objections.  
3 Each of Plaintiff's evidentiary objections based on hearsay and lack of foundation is  
4 granted. The balance of Ms. Hau's July 20 written declaration, to which the Plaintiff  
5 objects, is contradicted in several particulars by other prior statements in the record  
6 made by Ms. Hau under oath. Ultimately, Ms. Hau's July 20 declaration is conclusory,  
7 unconvincing, and unpersuasive, as is her evidence as a whole. In addition, her  
8 conclusory statements are largely uncorroborated by independent documentary or  
9 other evidence.

10 On August 24, Defendant filed additional briefing, a further, untimely Hau  
11 declaration, and a request for a hearing to present yet other evidence. In my mind,  
12 after reviewing Defendants' August 24 filings, I conclude that the only appropriate  
13 purpose for such a hearing would be to allow Plaintiff to challenge by cross-  
14 examination the new evidence contained in Ms. Hau's July 20 written declaration.  
15 Since I find Ms. Hau's July 20 declaration to be insufficient to overcome the Plaintiff's  
16 evidence introduced at trial in June, I do not believe that any further hearing is  
17 appropriate or necessary.

18 Based on the foregoing and a full review of the trial record, including a  
19 transcript of the June 20 hearing, I hereby respectfully deny the Defendants'  
20 August 24, 2005 request for further hearing. Plaintiff has proved his claim by a  
21 preponderance of the evidence. My June 20 oral ruling in favor of Plaintiff shall  
22 become my final ruling herein. A separate judgment shall be entered in favor of  
23 Plaintiff.

24  
25 DATED: 9/21/05

26  
  
THOMAS B. DONOVAN  
United States Bankruptcy Judge

NOTICE OF ENTRY OF JUDGMENT OR ORDER  
AND CERTIFICATE OF MAILING

TO ALL PARTIES IN INTEREST LISTED BELOW:

1. You are hereby notified that a judgment or order entitled:

**MEMORANDUM OF DECISION**

was entered on \_\_\_\_\_.

2. I hereby certify that I mailed a true copy of the order or judgment to the persons  
and entities listed below on \_\_\_\_\_.

Debtor/Defendant

Betty Hau  
6470 N. Lemon Ave.  
San Gabriel, CA 91775

Defendant

Ping Ren  
6470 N. Lemon Ave.  
San Gabriel, CA 91775

Defendants' Attorney

Henry Heuer  
Prince & Heuer  
2029 Century Park East, 21<sup>st</sup> Floor  
Los Angeles, CA 90067-2901

Chapter 7 Trustee

Richard Diamond  
Danning Gill Diamond & Kollitz  
2029 Century Park East, 3<sup>rd</sup> Floor  
Los Angeles, CA 90067

Attorney for Chapter 7 Trustee

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Atkinson, Andelson, Loya, Rudd &  
Romo  
17871 Park Plaza Drive, Ste. 200  
Cerritos, CA 90703

Office of the U. S. Trustee  
Ernst & Young Plaza  
725 S. Figueroa St., 26<sup>th</sup> Floor  
Los Angeles, CA 90017

Dated:

\_\_\_\_\_  
Clerk